



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/529,231

01/31/2006

Peter Von Zimmermann

07781.0228

2141

22852

7590

04/02/2008

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP

901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413

EXAMINER

DUNHAM, JASON B

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

04/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/529,231	<b>Applicant(s)</b> VON ZIMMERMANN ET AL.	
	<b>Examiner</b> JASON DUNHAM	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 16-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 16-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 9, 2008 has been entered. Applicant amended claims 1, 10, and 24-27 and added new claims 28-31. Claims 1-10 and 16-31 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 24, 27, and 30 make reference to multiple statutory classes of invention.

A claim that purports to be within multiple statutory classes is ambiguous and is properly rejected under U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim the invention (see Ex Parte Lyell).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-10 and 16-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flores (US 6,058,413) in view of Bandyh (US 2005/0177507).**

Referring to claim 1. The combination of Flores and Bandyh discloses a method for automatically filing documents relating to business transactions, using a computer system, the method comprising:

- Receiving business data about a business transaction (Flores: abstract);
- Producing at least one input data record from the business data, the input data record having a structure specific to a class of the business transaction (Flores: abstract, figures 4-6, and column 7, lines 44-61);

Flores discloses all of the above including storing individual output data with an identification code (column 9, lines 18-29) but does not expressly disclose transforming input into output data formatted for compatibility. Bandyh discloses a method of processing transactions including:

- Transforming the at least one input data record into an output data record, wherein the output data record includes a first data area formatted for compatibility with a first business application, and a second data area formatted for compatibility with a second business application (Bandyh: abstract and

paragraphs 28 and 121). The examiner notes that Bandyach discloses using identifiers to produce documents from the central system and converted to data that various trading partners can understand.

- Storing the output data record with an identification code such that the output data record is available to the first and second business applications by referring to the identification code (Bandyach: paragraphs 121 and 132);

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have modified the method of Flores, to have included producing different output records for different business applications depending on their data requirements, as taught by Bandyach, in order to processing of transactions in a collaborative data set between different buying and selling entities (Bandyach: abstract).

Referring to claims 2-6. Claims 2-6 are rejected under the same rationale set forth above. The combination of Flores and Bandyach discloses a method of producing, transforming, transferring, and storing the records of claim 1 through the use of program modules via an interface (Flores: figures 3-4 and column 7, lines 4-20 and column 8, lines 14-30).

Referring to claim 7. The combination of Flores and Bandyach further discloses a method wherein the output data record is stored on a transactional basis (Flores: column 9, lines 18-29).

Referring to claim 8. The combination of Flores and Bandyach further discloses a method wherein the output data record includes, for a plurality of business applications, a database structure having one or more tables (Flores: table 2).

Referring to claim 9. The combination of Flores and Bandyach further discloses a method wherein the output data record includes, for different journals in accounting, different data areas (Flores: column 3, line 47 – column 4, line 11). The examiner notes that applicant's specification defines journals as tabular summaries of posting records, separated for example into areas regarding costs, storage type and location, and customer. Flores discloses separate database for recording sales price and quantity ordered (Flores: column 9, lines 44-58).

Referring to claims 10 and 16-24. Claims 10 and 16-24 are rejected under the same rationale set forth above. The combination of Flores and Bandyach further discloses a system and medium according to claims 10 and 16-24 as evidenced by the cited portions in the rejection of the method claims and column 7, lines 4-20.

Referring to claim 25. The combination of Flores and Bandyach further discloses a method comprising adding data from a database application to the output data record (Flores: figure 7).

Referring to claims 26-27. Claims 26-27 are rejected under the same rationale set forth above.

Referring to claim 28. The combination of Flores and Bandyach further discloses a method wherein the first and second business applications each assess the business transaction using different business management methods (Bandyach: paragraph 67). Bandyach discloses various partners that do not use the same accounting information.

Referring to claims 29-31. Claims 29-31 are rejected under the same rationale set forth above.

### ***Response to Arguments***

Applicant's arguments filed January 9, 2008 have been fully considered but they are not persuasive. Applicant argues that the combination of Flores and Bandyh does not disclose the invention of claim 1 because the output data areas of Bandyh are not part of the collaborative data set but rather derived from the collaborative data set and are separate data. The examiner disagrees. Bandyh discloses a central data center 182 (see at least figure 10) that pulls input from the various business applications (i.e. buyers and sellers) into a collaborative data set. Output data records of this set are then sent to the applications based on each application's matching requirements. The examiner submits that forming two distinct data areas formatted for compatibility is not patently distinct from deriving separate output data records from a collaborative data set.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON DUNHAM whose telephone number is (571)272-8109. The examiner can normally be reached on M-F, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JBD  
Patent Examiner  
3/27/08

/Yogesh C Garg/  
Primary Examiner, Art Unit 3625